



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/276,042	03/25/99	CHRISTIE	J 1098D

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EXAMINER

WOLINSKY, S

ART UNIT

PAPER NUMBER

2742

DATE MAILED:

08/02/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/276,042

Applicant(s)

Christie et al.

Examiner

Scott Wolinsky

Group Art Unit

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☒ Responsive to communication(s) filed on Mar 25, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1 and 2 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 and 2 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Mar 25, 1999 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The drawings are objected to because in FIG. 10, all blocks should be labeled so as to indicate what they represent. Correction is required.
2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

3. The abstract of the disclosure is objected to because, on page 1, line 5, "September 9" should be changed to --September 8-- and, on line 7, --now abandoned,-- should be inserted after "1994,". Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claim 2 is objected to because of the following informalities: the claim should end with only one period (.), not two (. .). Appropriate correction is required.

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Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan (U.S. Patent Number 5,163,087). Kaplan discloses a method for operating a telecommunications system to selectively validate calls placed to called numbers from callers with associated caller numbers, wherein the system handles a plurality of types of calls, the method comprising accepting a call into the telecommunications system (see col. 7, lines 34-38); receiving the caller number (ANI) and the called number for the call (see col. 7, lines 47-51); before validating the call, determining if the call is a type of call that requires validation (see col. 7, lines 44-54); if the call does not require validation, then processing the called number (see col. 7, lines 42-47); and if the call requires validation, then entering a validation database with the caller number (ANI) before further processing the called number (see col. 7, lines 54-68).

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Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pilc et al. (U.S. Patent Number 5,510,777) in view of Kaplan (U.S. Patent Number 5,163,087). Pilc discloses a method for operating a telecommunications system to selectively validate calls placed to called numbers from callers with associated caller numbers, wherein the system handles "800" and "900" type calls, the method comprising accepting a call into the telecommunications system (see col. 5, line 64 through col. 6, line 7) and handling the validation of "800" and "900" type calls differently

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(see FIGs. 5 and 10). Pilc discloses receiving the caller number and the called number for the call (see col. 8, lines 27-28) and determining whether the called number is an "800" type called number (see col. 5, line 66 through col. 6, line 2 and block 805 in FIG. 5). Pilc discloses validating a "900" type call by entering a validation database with a caller number before further processing of the called number (see col. 17, lines 60-66). Pilc fails to disclose the method step of if the called number is an "800" type number, then entering an "800" type number database with the called number before entering a validation database with the caller number. Kaplan teaches if the call requires validation, then entering a validation database with the caller number (ANI) before further processing the called number (see col. 7, lines 54-68) such that calling customers can be correctly matched with called businesses. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings Kaplan into Pilc's method to improve the chances that the calling party is connected to the correct called party.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Neville (U.S. Patent Numbers 5,805,689 and 5,588,048) discloses a geographically mapped telephone routing method and system.

Richardson, Jr. et al. (U.S. Patent Number 5,619,556) disclose an automated telecommunication peripheral system.

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Chanda et al. (U.S. Patent Number 5,550,909) disclose an international toll-free calling process.

Moore et al. (U.S. Patent Number 5,506,897) disclose an automatic routing system for telephonic services.

Brennan et al. (U.S. Patent Number 5,329,578) disclose a personal communication service with mobility manager.

Wegrzynowicz (U.S. Patent Number 5,136,636) discloses a telephone connection to a nearby dealer.

Finucane et al. (U.S. Patent Number 5,095,505) disclose efficient flexible special service call processing.

Benyacar et al. (U.S. Patent Number 5,003,584) disclose a method and apparatus for the billing of value-added communication calls.

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11. Any response to this action should be mailed to:

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or faxed to:

(703) 308-9051 or (703) 308-9052 (for formal communications intended
for entry)

Or:

(703) 308-5403 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

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12. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under the Rules. Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for response. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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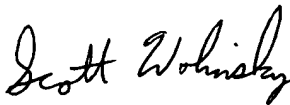
Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Wolinsky whose telephone number is (703) 308-6731. The examiner can normally be reached on Monday - Thursday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele, can be reached on (703) 305-4701.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


SCOTT WOLINSKY
PRIMARY EXAMINER